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The situation in the Middle East

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Report of the Secretary-General

Summary

The present report contains replies received from Member States in response to the note verbale by the Secretary-General of 8 May 2014 concerning implementation of the relevant provisions of General Assembly resolutions 68/16, entitled "Jerusalem", and 68/17, entitled "The Syrian Golan".

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I. Introduction

1. The present report is submitted pursuant to General Assembly resolutions 68/16 and 68/17. In its resolution 68/16 of 26 November 2013, the Assembly stressed that a comprehensive, just and lasting solution to the question of the city of Jerusalem should take into account the legitimate concerns of both the Palestinian and Israeli sides and should include internationally guaranteed provisions to ensure the freedom of religion and of conscience of its inhabitants, as well as permanent, free and unhindered access to the holy places by the people of all religions and nationalities. In its resolution 68/17 of 26 November 2013, which deals with Israeli policies in the Syrian territory occupied by Israel since 1967, the Assembly demanded once more that Israel withdraw from all the occupied Syrian Golan to the line of 4 June 1967 in implementation of the relevant Security Council resolutions.

2. On 8 May, in order to fulfil my reporting responsibility under resolutions 68/16 and 68/17, I addressed notes verbales to the Permanent Representative of Israel and the Permanent Representatives of other Member States requesting them to inform me of any steps their Governments had taken or envisaged taking concerning the implementation of the relevant provisions of those resolutions. As at 11 August 2014, three replies had been received from Cuba, Mexico and the Syrian Arab Republic. These replies are reproduced in section II of the present report.

II. Replies received from Member States

Cuba

[Original: Spanish]
[6 June 2014]

Cuba fully supports General Assembly resolution 68/16, entitled "Jerusalem", and calls on all States Members of the United Nations to implement it promptly and rigorously.

Our country reaffirms its support for and solidarity with the Palestinian people, who for over 45 years have suffered under the brutal military occupation of their lands and have had their fundamental human rights denied, including the right to self-determination.

Cuba strongly condemns Israel's continued military occupation of the Palestinian territory; Israel's illegal policies and colonization practices in the Occupied Palestinian Territory, including East Jerusalem; human rights violations; and systematic war crimes that are causing the Palestinian people immense suffering.

The critical security, political, economic, social and humanitarian conditions in the Occupied Palestinian Territory, including East Jerusalem, caused by the continuing Israeli military occupation and the illegal actions and provocations against the Palestinian people and its lands are unacceptable and of deep concern.

From July 2013 to the present date, Israel has declared that it plans to build over 13,000 settlement units, in addition to the thousands of housing units that are currently being built. Such action highlights Israel's expansionist policy and total disrespect for international law.

Our country expresses its deep concern at the situation in occupied East Jerusalem, where the Israeli colonization campaign is most intense, aimed at illegally altering the city's demographic composition, character and legal status.

The construction of settlements in the Occupied Palestinian Territory, in and around East Jerusalem, is a flagrant violation of international law carried out in open defiance of United Nations resolutions and the advisory opinion issued by the International Court of Justice on 9 July 2004.

Our country is particularly concerned at Israel's attempts to illegally and forcibly reassert its control over the Haram al-Sharif and the Al-Aqsa Mosque. Those acts of provocation and incitement have further exacerbated religious sensitivities.

We demand an immediate end to the construction and expansion of settlements and of the wall; to the transfer of more settlers, home demolitions, the intensification of land confiscations, evictions and excavations in the old city of Jerusalem, including its religious sites and its surroundings; to the displacement of the Palestinian civilian population; to the imposition of arbitrary and racist residency requirements; and to all other measures aimed at ridding the city of its Palestinian inhabitants and bringing about the illegal annexation of East Jerusalem by Israel.

The Non-Aligned Movement has expressed alarm at the increase in acts of aggression in occupied East Jerusalem, particularly around the Haram al-Sharif and the Al-Aqsa Mosque as a result of acts of provocation by Israeli extremists. The flagrant disrespect for that holy place and for worshippers, and the constant threat of new incursions, constitute serious acts of incitement that inflame religious sensitivities and tension, which is already high.

The Movement has repeatedly drawn the attention of the Security Council to those serious issues, which endanger international peace and security. It has called for measures to halt Israel's incitement and provocations, and stressed the need to respect the sacrosanct nature of the holy sites and the rights and access of Muslim and Christian worshippers, including Palestinians, in the city.

We emphasize the importance of East Jerusalem as an integral part of the Palestinian territory occupied in 1967. We reaffirm that its illegal annexation by Israel, which has never been recognized by the international community, remains null and void. The same is true of Israel's measures aimed at altering the legal, geographic and demographic character and status of Jerusalem and of the Occupied Palestinian Territory.

Cuba joins the Movement, the Committee on the Exercise of the Inalienable Rights of the Palestinian People and other entities in their collective appeal to the international community to demand that Israel comply with its obligations under the Fourth Geneva Convention and the United Nations resolutions concerning Jerusalem.

We emphasize the need to give political, economic and humanitarian support to the Palestinian people in order to help it to fulfil its legitimate national aspirations, including the inalienable right to self-determination and freedom in its own independent State of Palestine, with East Jerusalem as its capital.

Cuba fully supports General Assembly resolution 68/17, entitled "The Syrian Golan", and calls on all States Members of the United Nations to implement it promptly and rigorously.

Israel must withdraw immediately from all the occupied Syrian Golan to the line of 4 June 1967, in implementation of the relevant General Assembly and Security Council resolutions, and end its unbridled efforts to seize the Golan from the Syrian Arab Republic.

Cuba reiterates the fundamental principle that, based on international law and the Charter of the United Nations, the acquisition of territory by force is inadmissible. It is unacceptable that the Syrian Golan, which has been occupied since 1967, remains under Israeli military occupation.

The decision taken by Israel on 14 December 1981 to impose its laws, jurisdiction and administration on the occupied Syrian Golan is null and void, as confirmed by Security Council resolution 497 (1981). Any legislative and administrative measures or actions taken or to be taken by Israel that purport to alter the legal status, physical nature or demographic composition of the occupied Syrian Golan or its institutional structure, as well as the Israeli measures to apply its jurisdiction and administration there, are also null and void, and have no legal effect.

Cuba condemns the settlement policies implemented in the occupied Syrian Golan by the Government of Israel, which has ignored international law, international conventions and the Charter and resolutions of the United Nations. The most recent of those resolutions are General Assembly resolution 68/17, which stresses the illegality of Israeli settlement construction and other activities in the occupied Syrian Golan, and General Assembly resolution 68/84, which calls upon Israel to desist from changing the physical character, demographic composition, institutional structure and legal status of the occupied Syrian Golan and in particular to desist from the establishment of settlements.

Israel remains impervious to the internationally recognized resolutions, the calls made in international forums by States across the world for an end to the occupation, and the condemnation of its flagrant violations of all international conventions. Israel has persisted in its practices in the occupied Syrian Golan. It has illegally seized land and resources, built settlements and expanded in other ways, not to mention exploiting natural resources in violation of the principle that peoples under occupation have permanent sovereignty over their natural resources.

The international community must assume its responsibility under international law and United Nations resolutions by preventing Israel from persisting in its repeated violations, which include looting the natural resources of the occupied Syrian Golan.

Cuba strongly condemns the brutal Israeli practices perpetrated in the prisons established during the occupation and reiterates its grave concern at the inhuman conditions of the Syrian detainees in the occupied Syrian Golan, which have led to the deterioration of their physical health and put their lives at risk, in blatant violation of international humanitarian law.

We demand that Israel comply immediately and unconditionally with the provisions of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949 and apply them to the situation of the Syrian detainees in the occupied Syrian Golan.

The Non-Aligned Movement has condemned all measures adopted by Israel, the occupying Power, to alter the legal, physical and demographic status of the

occupied Syrian Golan, measures that have intensified since the outbreak of the Syrian crisis. It has reiterated its demand that Israel comply with Security Council resolution 497 (1981) and withdraw fully from the occupied Syrian Golan to the lines of 4 June 1967, in implementation of Security Council resolutions 242 (1967) and 338 (1973).

Cuba reaffirms its unconditional support for and solidarity with the legitimate demand and right of the Syrian Arab Republic to restore its full sovereignty over the occupied Syrian Golan.

The continued Israeli occupation of the Syrian Golan and its de facto annexation constitute a stumbling block in the way of achieving a just, comprehensive and lasting peace in the region.

Mexico

[Original: Spanish]
[7 July 2014]

With regard to General Assembly resolution 68/16 on Jerusalem, Mexico supports a comprehensive solution to the Middle East conflict based on the existence of two States, Israel and Palestine, coexisting side by side within secure and internationally recognized borders in accordance with international law.

With regard to General Assembly resolution 68/17 on the Syrian Golan, the Government of Mexico has emphatically rejected the continued expansion of Israeli settlements in the occupied Palestinian territories and the territory of the Syrian Golan. It has therefore called on the Government of Israel to revoke such measures and avoid such actions as evictions and the demolition of Palestinian homes in the occupied Palestinian territories, including East Jerusalem. Mexico considers that those actions are contrary to international law and to not help to create a climate conducive to the negotiation process between the two parties.

Syrian Arab Republic

[Original: Arabic]
[6 June 2014]

Since the Israeli occupation of the Syrian Golan in 1967, the international community has consistently maintained its rejection of that occupation, demanding that Israeli forces should be withdrawn from all of the occupied Syrian Golan. The General Assembly, in its resolution 68/17, reiterated its deep concern that Israel had not withdrawn from the occupied Syrian Golan, contrary to the relevant Security Council and General Assembly resolutions. It demanded that Israel withdraw from all of the occupied Syrian Golan to the line of 4 June 1967, in implementation of the relevant Security Council resolutions. In that same resolution, the Assembly also declared that the Israeli decision of 14 December 1981 to impose its laws, jurisdiction and administration on the Syrian Golan was null and void and had no validity whatsoever, as confirmed by the Security Council in its resolution 497 (1981).

After 48 years of that occupation and despite the demands set out in the United Nations resolutions that it should end its occupation of the Syrian Golan, its unremitting repressive practices and its blatant violations of all international

covenants and norms, Israel continues to turn a blind eye to the position of the international community. In the absence of a deterrent, it persists in pursuing its hostile and illegal practice and in ignoring international and United Nations resolutions, knowing that it will not be held accountable thanks to the protection offered by certain members of the Security Council.

The Syrian Arab Republic has consistently stated that the realization of a just and comprehensive peace in the Middle East requires the implementation of the United Nations resolutions aimed at ending the Israeli occupation of the Syrian Golan and other Arab territories, the most important of which is Security Council resolution 497 (1981). It has also insisted that the relevant international resolutions, in particular Security Council resolutions 242 (1967) and 338 (1973), should be implemented fully and that the principle of land for peace, which was the basis of the Madrid peace process that was started in 1994, should be respected. President Bashar al-Assad has affirmed that position on more than one occasion. It is regrettable that the international community chooses to ignore the conduct of Israel, which is a colonial entity founded on occupation and expansion that does not care for peace. Israel has committed acts of aggression against States of the region, repeatedly violated international law and the Charter of the United Nations, and responded to all peace initiatives with evasiveness and a plethora of excuses, in an attempt to consolidate its occupation.

Israel is no longer satisfied with occupation and hostile actions, but rather has stepped its aggressive and provocative actions by providing logistical support to terrorists and through directly military interventions on more than one occasion in the territory of the Syrian Arab Republic in support of terrorists, as was the case a few months ago when it shelled a school and a mosque in the village of Hamidiyah in the Syrian Golan, in a flagrant and grave violation of international law and the Disengagement of Forces Agreement.

The Government of the Syrian Arab Republic denounces the settlement policies enacted in the occupied Syrian Golan by the Israeli Government, paying no heed to the relevant Security Council, General Assembly and Human Rights Council resolutions, the most recent of which was Human Rights Council resolution 25/31 of 28 March 2014, which stresses the illegality of Israeli settlement construction and other activities in the occupied Syrian Golan and calls on Israel to desist from changing the physical character, demographic composition, institutional structure and legal status of the occupied Syrian Golan and, in particular, to desist from the establishment of settlements, and called on Israel to desist from its continuous building of settlements.

The Government of the Syrian Arab Republic condemns all Israeli practices and actions aimed at controlling and plundering the resources of the Syrian Golan, in flagrant contravention of the principles that peoples under occupation have permanent sovereignty over their national resources, and in stark violation of Security Council resolution 497 (1981) and the General Assembly resolution 68/235, entitled "Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources". Israel continues to deplete the natural resources of the occupied Syrian Golan and deprive the territory's population of the ability to enjoy the benefit of its, including water. The Israeli occupation authorities deliberately waste those resources or allow only Israeli

settlers to utilize them. Israel is also razing territory adjacent to the ceasefire line in the occupied Syrian Golan and uprooting trees. In that connection, we should like to recall that the Israeli occupation authorities drained Lake Mas'adah in the occupied Syrian Golan and diverted its waters to settler farms. This action by Israel, which contravenes international law and the Fourth Geneva Convention of 1949, created an enormous economic and environmental catastrophe for the Syrian citizens of the occupied Syrian Golan, who suffered material damages estimated at $20 million. The Government of the Syrian Arab Republic also warns of the threat posed by the Israeli authorities' plans to drill for oil in the occupied Syrian Golan. Reports from various sources indicate that the Israeli Ministry of Energy has granted a license to the United States company Genie Energy Ltd. to drill for oil in the occupied Syrian Golan, in flagrant violation of international law and United Nations resolutions.

The Government of the Syrian Arab Republic once again calls on the States Members of the United Nations to refuse to import natural products taken from the occupied territories or produced there, in order to comply with international law and emphasize the need for Israel to respect that law. Information indicates that settlers in the occupied Syrian Golan are exporting wine to the European Union that is labelled "Made in Israel".

The Government of the Syrian Arab Republic reaffirms its request to the Secretary-General, the United Nations High Commissioner for Human Rights, the President of the Human Rights Council and the President of the International Committee of the Red Cross to bring pressure to bear on Israel to ensure that the Syrian prisoners detained in its jails are held in more humane health conditions. In that connection, it expresses its rejection of the sham trials of those prisoners. The Syrian Arab Republic calls on those international bodies to condemn strongly the arbitrary and inhumane conditions imposed by the Israeli occupation authorities on Majid al-Sha'ir and other prisoners and to call on the Israeli occupation authorities to release them. Those authorities have prevented certain members of their families from visiting them, citing spurious pretexts. The Syrian Arab Republic also condemns the detention of a number of youths and the summoning of others for questioning by the Israeli occupation authorities.

The Government of the Syrian Arab Republic also emphasizes its requests to the above-mentioned international bodies to bring pressure to bear on Israel to cease taking unjust decisions preventing citizens in the occupied Syrian Golan from visiting their homeland, The Syrian Arab Republic, through the Qunaitra crossing. Those arbitrary Israeli practices contravene the Geneva Conventions and all international humanitarian instruments and norms. They serve only to inflict material, mental and physical suffering on Syrian citizens in the occupied Syrian Golan and exceed all legal and moral bounds.

The Government of the Syrian Arab Republic emphasizes that, in order to ensure stability in the Middle East and preserve credibility of the United Nations, measures must be taken to implement all international resolutions, without bias or selectivity, aimed at ending the Israeli occupation of Arab territories and to apply the Geneva Conventions in order to bring pressure to bear on Israel, the occupying Power, to comply with the will of the international community, as expressed in numerous resolutions.

Similarly, the Syrian Arab Republic emphasizes its support for General Assembly resolution 68/16 entitled "Jerusalem", and calls on the international

community to bring pressure to bear on Israel to end its attempts to Judaize Jerusalem and revoke all of its baseless legislative and administrative measures aimed at changing the city's status and identity. It also calls for serious and effective measures to be taken to end Israel's unlawful practices that undermine the city's holy sites. In order to achieve just and comprehensive peace, Israel must be made to withdraw from all occupied Arab territory to the line of 4 June 1967 and the Palestinian State, with Jerusalem as its capital, must be established.